

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLARKE AND REBECCA WIXON,

Plaintiff,

v.

TRENDWEST RESORTS INC,

Defendant.

No. C 07-02361 JSW

**ORDER DENYING PLAINTIFFS'
MOTION TO SEAL**

(Docket No. 290)

On May 12, 2009, Plaintiffs filed a motion to seal documents that were designated confidential or highly confidential by Wyndham Resort Development Corporation ("WRDC"). Pursuant to Northern District Civil Local Rule 79-5(d), when a party wishes to file a document that has been designated confidential by another party, "[w]ithin five days thereafter, the designating party *must* file with the Court and serve a declaration establishing that the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing order, or *must* withdraw the designation of confidentiality." WRDC has not filed its Rule 79-5(d) declaration within the requisite time period. Accordingly, Plaintiffs' motion to seal is DENIED. Plaintiffs shall file the documents in the public record.

IT IS SO ORDERED.

Dated: May 21, 2009


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE